

Application No. 12004 of Morris Miller Liquor and Enterprises, Inc. pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit the continued use of an accessory parking lot in the R-1-B district as provided for by Section 3101.411 of the Zoning Regulations at premises 7800-7806 Georgia Avenue, N.W. and 7820-7840 Eastern Avenue, N.W., known as Lots 810, rear of Lot 809, and parts of Lots 811, 812, and 813, Square 2960.

HEARING DATE: October 21, 1975

EXECUTIVE SESSION: Granted from the Bench.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B district, adjacent to a strip of C-2-A zoning along Eastern Avenue and Georgia Avenue, N.W.

2. The Board originally granted approval to establish this accessory parking lot in Appeal No. 2385, public hearing July 20, 1949, and Appeal No. 1476, public hearing October 26, 1949. The Board granted permission to continue operation of this parking in Appeals No. 3329, 3332, 4840, 4899, 4906, 5229, 5234, 5611, 5615, 7606-07, 8236-37, and 10432.

3. The subject parking lot is in full compliance with all of the conditions and provisions of the Board's prior Orders.

4. The lot contains approximately 80 parking spaces. It supplies additional parking in an area where existing off-street and curb parking cannot adequately handle the parking needs. Specifically, the lot serves the businesses located in the C-2-A portion of Square 2960.

5. The Eastern Avenue and Georgia Avenue frontages of Square 2960 are zoned C-2-A. The C-2-A zoning has a shallow depth of approximately 100 feet. There is no room for adequate parking to serve those businesses located in the C-2-A portion of Square 2960.

6. The C-2-A portion of Square 2960 is substantially covered by improvements, leaving virtually no room for accessory parking on the same lots on which the principal buildings served by the parking are located.

7. The parking spaces are in an open area and they are located in their entirety within 200 feet of the area to which they are accessory. They are either contiguous to or separated by only an alley from the uses to which they are accessory.

8. All areas devoted to driveways, access lanes, and parking areas are paved with materials which form an all weather impervious surface.

9. The parking lot is so designed that no vehicle or any part thereof projects over any lot line or building line.

10. No other uses are conducted from the parking lot except other than an attendant's shelter.

11. No vehicular entrance or exit is within 25 feet of a street intersection.

12. All lighting used to illuminate the parking lot is so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

13. In accordance with the conditions imposed in Appeal No. 10432, the applicant has constructed a three foot brick wall on the existing wall surrounding the parking lot.

14. The lot has been kept free of refuse and debris and has been maintained in an orderly manner.

15. The applicant has provided a chain which may be utilized to secure the lot. The lot is used during normal working hours, and additionally provides service for two restaurants which are twenty-four hour operations.

16. The Department of Transportation submitted a report stating that it has no objection to the granting of this application.

17. The Municipal Planning Office has submitted a report recommending the granting of this application for a period of five years.

18. There was no opposition to the granting of this application.

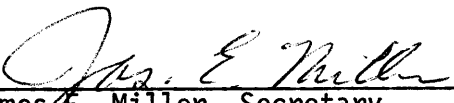
CONCLUSIONS OF LAW:

On the basis of the foregoing Findings of Fact, the Board concludes that the accessory parking lot meets all of the requirements of Section 3101.411 and Article 74 of the Zoning Regulations. The parking spaces are so located and all facilities in relation thereto are so designed that they will not become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions. The parking lot serves a necessary function to the commercial uses in Square 2960 and alleviates traffic and parking conditions in the immediate neighborhood.

ORDERED: That the above application be GRANTED for a period of five years.

VOTE: 4-0 (Board Member Cummings absent.)

By Order of the D.C. Board of Zoning Adjustment.

ATTESTED BY: 
James E. Miller, Secretary

FINAL DATE OF ORDER: Oct 21, 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY
UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE
DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE
EFFECTIVE DATE OF THIS ORDER.